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June 13, 2023

BY ECF

The Honorable Naomi Buchwald
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Reynor Hungria Brito, 19 Cr. 523 (NB)

Dear Judge Buchwald:

I represent Reynor Hungria Brito in the above-referenced matter, having been previously appointed pursuant to the provisions of the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A. I write, without objection from the Department of Probation (“Probation”), to respectfully request that Mr. Hungria Brito be granted early termination from supervised release pursuant to 18 U.S.C. Section 3583(e)(1).¹ The Government opposes this request.²

By way of background, Mr. Hungria Brito was named in a three-defendant indictment, that charged him with participating in a narcotics conspiracy, in violation of 21 U.S.C. Section

¹ A court may terminate supervised release “at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. Section 3583(e)(1).

² The Government acknowledges that Mr. Hungria Brito has not incurred any violations and been fully compliant with supervision and completed all conditions of his sentence, including 500 hours of community service. Nonetheless, the Government believes early termination is premature as Mr. Hungria Brito has completed approximately two years of supervision and has three years remaining. Based on Mr. Hungria Brito’s positive and productive conduct while on pretrial supervision, along with full compliance on supervised release, there is no need for Mr. Hungria Brito to continue to be supervised. Moreover, Probation’s limited resources would be better served monitoring higher risk individuals.

841(b)(1)(A). Mr. Hungria Brito pleaded guilty before Your Honor on December 10, 2020, to a lesser-included offense pursuant to a plea agreement with the Government.³ He admitted to participating in a narcotics conspiracy in June, 2019 because he had been struggling financially. He acknowledged the terrible decision he had made by involving himself in criminal activity and accepted full responsibility.

On August 11, 2021, this Court, recognizing Mr. Hungria Brito's long history of employment and family circumstances, sentenced him to a non-incarceratory sentence of time served and five years' supervision and 500 hours of community service. Mr. Hungria Brito completed the 500 hours of community service and has been fully compliant with the conditions of supervision. Furthermore, he has been working full-time and caring for his family and children. He has been living a responsible, productive and law-abiding life. Accordingly, based on his conduct while on supervision and in the interests of justice, we respectfully request that Mr. Hungria Brito be granted early termination from supervised release.

Thank you for your consideration.


Respectfully submitted,

/s/

Anthony Cecutti

Application denied. While the Court commends defendant for his progress over the past two years, there is no basis to terminate defendant's term of supervised release at this time.

SO ORDERED.


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
June 23, 2023

³ The stipulated Guidelines range was 63 to 78 months' imprisonment.